

AMENDED IN ASSEMBLY APRIL 10, 2013

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 784

Introduced by Assembly Member Weber

February 21, 2013

An act to add Section 12331 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 784, as amended, Weber. In-Home Supportive Services: provider health care benefits.

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Under existing law, the state, a county, a public authority, a nonprofit consortium, or an IHSS recipient may be considered the employer of an IHSS provider.

Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA imposes an assessment on certain employers who fail to offer to their full-time employees and their dependents the opportunity to enroll in minimum essential coverage under an eligible employer-sponsored plan.

This bill would establish an advisory committee on the impact of PPACA on health care benefits for ~~providers of~~ IHSS providers and would provide for the appointment of members to the committee by

the Governor, the Speaker of the Assembly, and the Senate Committee on Rules, as specified. The bill would require the advisory committee to provide ~~advice~~ *a report to specified legislative committees on or before March 1, 2014*, on the appropriate employer in the IHSS program to provide health care benefits to IHSS providers under PPACA.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12331 is added to the Welfare and
2 Institutions Code, to read:

3 12331. (a) There shall be established a 13-member advisory
4 committee to assess the impact of the federal Patient Protection
5 and Affordable Care Act on health care benefits for in-home
6 supportive services providers. At least 50 percent of the
7 membership of the advisory committee shall be individuals who
8 are current or past ~~users~~ *providers* of personal assistance services
9 paid for through ~~public or private funds or as recipients of~~ in-home
10 supportive services.

11 (1) At least two members of the advisory committee shall be
12 current or former providers of in-home supportive services.

13 (2) Individuals who represent organizations that advocate for
14 people with disabilities or seniors may be appointed to the advisory
15 committee.

16 (3) Individuals from labor organizations that are designated
17 representatives of IHSS providers shall be appointed to the advisory
18 committee.

19 (b) The Governor shall appoint seven members, the Speaker of
20 the Assembly shall appoint three members, and the Senate
21 Committee on Rules shall appoint three members.

22 (c) Prior to appointment of the members to the advisory
23 committee, the Governor, the Speaker of the Assembly, and the
24 Senate Committee on Rules shall consult with labor organizations
25 and organizations that advocate for seniors and persons with
26 disabilities regarding these appointments.

27 (d) The advisory committee established pursuant to subdivision
28 (a) shall provide ~~advice~~ *a report to the Assembly Committee on*
29 *Human Services, the Senate Committee on Human Services, the*
30 *Assembly Committee on Health, and the Senate Committee on*

- 1 *Health, on or before March 1, 2014*, on the appropriate employer
- 2 under the In-Home Supportive Services program to provide health
- 3 care benefits to in-home supportive services providers under the
- 4 Patient Protection and Affordable Care Act.

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